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PATENTS  
108041-0013  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of: )  
Valerio Aisa )  
Serial No.: 09/341,379 )  
Filed: July 9, 1999 )  
For: CONTROL SYSTEM FOR A )  
HOUSEHOLD APPLIANCE )  
)

Examiner: D. Becker

Art Unit: 1761

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
May 21, 2003

"Express Mail" Mailing-Label Number: EV336668276US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

*OK to ENTER*  
*DEB 5/27/03*

**RESPONSE**

We have carefully considered the Office Action dated March 21, 2003, in which claims 34-43 are rejected under section 112; claims 34-36 and 38-43 are rejected as anticipated by United States Patent 4,837,414 to Edamula and claim 37 is rejected as obvious over Edamula in combination with United States Patent 5,710,409 to Schwarzbacker. We address the Section 112 and Sections 102 and 103 rejections separately below.

Section 112 Rejections

We continue to question what the Examiner finds confusing about defining

certain functions as controllable through the control panel and certain functions as not being controllable through the control panel – the two sets of functions are exclusive of one another and easily determined based on the buttons and knobs included on the control panel. The Examiner contends that the two sets of functions are not clearly defined “since the control system can receive the same type of input from a controller as it can from a control panel.” This interpretation of the actions of the control system assumes that the control system can not distinguish between information provided by the control panel and information provided through another means and/or the content of the information. Such an interpretation does not match the clear explanation of the system as set forth in the application.

As an example we have discussed a control panel that allows a user to enter information to set up 10 menus – with the control panel having the appropriate buttons or knobs to allow the user to thereafter select menus 1-10 to operating the appliance. The control panel knobs and buttons can not be used to select, for example, a menu 12. Thus, the functions associated with setting up menus 1-10 and thereafter selecting menus 1-10 are part of the first set of functions, i.e., functions that can be controlled through the control panel. The control panel can not be used to set up or select a menu 12 or 13, regardless of what the user does with the knobs or buttons. Accordingly, the functions associated with setting up and/or selecting the menu 12 or 13 are by definition not included in the first set of functions.

A separate controller allows a user to enter information to set up menus 11-20 and thereafter select one of these menus, for example, menu 12, to operate the appliance. As discussed, there are no buttons or knobs on the control panel that allow the user to enter information to set up or thereafter to select any of the menus 11-20 – these menus can only be set up and selected through the separate controller and the functions that allow a user to set up and select the menus are thus included in the second set of functions.

The current system solves the problem of providing additional functionality, i.e., a second set of functions, without increasing the complexity of the appliance control panel. The system has the user controlling the second set of functions with a control mechanism that is separate from the control panel. Indeed, the control panel is intentionally designed

to work with only the first set of functions.

We do not understand how this is confusing and/or how the Examiner finds the two sets of functions non-exclusive. The buttons and knobs of the control panel clearly define the first set of functions. The second set of functions is then whatever else the appliance can do based on the second set of functions stored in the appliance.

### Section 102 and 103 Rejections

The Examiner points to a statement in the Edamula patent (US 4,837,414) about a conventional cooking oven including a control panel through which a user supplies information to control the operations of the appliance. We agree that it is known to include such a conventional control panel on such an appliance. The current system, however, solves the problem of providing increased functionality without increasing the complexity of the control panel, as discussed above.

In contrast, the Edamula system provides increased functionality by **replacing** the conventional control panel with a relatively complex remote controller 101 (See, Abstract; Column 1, lines 50 et seq. and Figs. 3C and 6). Notably, there are **no** control buttons or knobs on the main body 102 depicted in Fig. 3C, instead the main body includes an infrared receiver 15 that receives user-provided information from the remote controller 101 (See, Column 4, lines 18-25).

More specifically, the Edamula system “physically separates” from the main body of the oven the “input means” through which a user enters information that controls the functioning of the oven, and includes the input means on a remote controller 101 (See, Abstract; Column 2, lines 41-53). The remote controller 101 includes a scanner 111 that scans bar codes in cookbooks, a CPU 112 that “judges” if the scanned information is to be transmitted to the main body, and a transmitter 113 (See, Column 2, lines 60 et seq.). The receiver on the main body, which is referenced by the numeral 15 in Fig. 3C and the numeral 121 in Figs. 1 and 2, receives the user-provided information from the remote controller 101, and a control means 122 then uses the received information to operate the main body in accordance with various functions contained in the memory means 123

(See, Column 3, lines 7 et seq.).

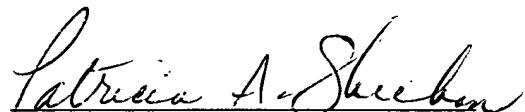
In contrast to the Edamula system's use of the relatively complex remote controller 101, the current system **retains** the conventional control panel and provides increased functionality through use of a separate control mechanism. The user of the current system may thus readily operate the appliance via the control panel, in accordance with stored first functions. As desired, the user uses a separate controller to operate the appliance in accordance with the second set of stored functions. The current system thus provides the user with a flexibility that is missing from the Edamula system.

There is no showing, teaching or suggestion in the Edamula patent of an appliance that operates using a set of functions that can be set up and selected using a conventional appliance control panel and a different set of functions that can not be set up and selected using the control panel. Instead, the Edamula system uses the relatively complex remote control unit, with its scanner and so forth, to operate the main body of the oven. Accordingly, the Edamula patent does not show, teach or suggest the current invention because, *inter alia*, the Edamula patent does not show, teach or suggest an appliance that includes a first set of stored functions that are set up and selected through a control panel and a second set of stored functions that can not be set up and selected using the control panel, as set forth in independent claims 34 and 42 and the claims that depend therefrom.

In light of the above, the independent claims and the claims that depend therefrom should be in form for allowance, and we request that the Examiner issue a Notice of Allowance for all pending claims.

Please charge any additional fee occasioned by this paper to our Deposit Account  
No. 03-1237.

Respectfully submitted,



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